



GP/1638

PATENT

Docket No.: 21829/101 (EBC-008)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IDS/#5  
2/8/02

Applicants : Wei et al.  
Serial No. : 09/829,124  
Filed : April 9, 2001  
For : HYPERSENSITIVE RESPONSE ELICITOR  
FROM *XANTHOMONAS CAMPESTRIS*

Examiner:  
To Be Assigned

Art Unit:  
1638

RECEIVED

JAN 22 2002

TECH CENTER 1600/2900

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §§ 1.97-1.98

Commissioner for Patents  
Washington, D.C. 20231


Dear Sir:

Pursuant to 37 CFR §§ 1.97-1.98, applicants hereby bring to the attention of the United States Patent and Trademark Office ("PTO"), the references listed on the attached PTO-1449 form. Copies of these references are not enclosed herewith, since each was disclosed by applicants or cited by the PTO in prior U.S. patent application serial number 09/412,452, filed October 4, 1999 (now abandoned), which applicants have relied upon for priority under 35 U.S.C. § 120.

Because this statement is being timely filed under 37 CFR § 1.97(b), no fee is due. Although if it is later determined that a fee under 37 CFR § 1.17(p) is required, the Commissioner for Patents is authorized to charge deposit account no. 14-1138 for any deficiency owed.

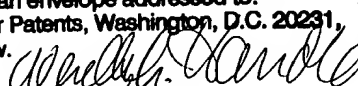
Respectfully submitted,

Date: October 26, 2001

  
Edwin V. Merkel  
Registration No. 40,087

NIXON PEABODY LLP  
Clinton Square, P.O. Box 31051  
Rochester, New York 14603  
Telephone: (716) 263-1128  
Facsimile: (716) 263-1600

R440319.1

Certificate of Mailing - 37 CFR 1.8(a)	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date below.	
Date <u>10/26/01</u>	 Wendy L. Harold